



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

HD

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,204	01/07/2004	Laura M.L. Chan	CA920030031US1	5645
58139	7590	11/28/2007	EXAMINER	
IBM CORP. (WSM) c/o WINSTEAD SECHREST & MINICK P.C. P.O. BOX 50784 DALLAS, TX 75201			AHMED, AFFAF	
		ART UNIT	PAPER NUMBER	
		3622		
		MAIL DATE		DELIVERY MODE
		11/28/2007		PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/753,204	CHAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Affaf Ahmed	3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 07 January 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date: _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>01/07/2004&amp;9/19/2007</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Status of Claims***

1. This action is in reply to the application filed on 01/07/2004.
2. Claims 1-18 are currently pending and have been examined.
3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 10753204, filed on 01/07/2004.

### ***Claim Rejections - 35 USC § 101***

4. Claim 1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claimed invention must fall into one of the four recognized statutory classes of invention, a process (or method), a machine (or system); an article of manufacture; or a composite of matter. However, claim 1 does not seem to fall within one of these recognized categories. The invention seems to be directed toward an article of manufacture, however, computer program mechanism claimed as embodied in computer readable media is descriptive material per se and is not statutory because it is not capable of causing functional change in the computer. Such claimed computer programs do not define any structural and functional interrelationships between the computer code and other claimed elements of a computer, which permit the computer's program to be realized (see MPEP section 2106). Simply stated invention not claimed, as computer program that when executed by the computer causes the computer to perform the claimed limitation is not statutory. Merely claiming nonfunctional descriptive material stored in a computer-readable medium does not make the invention eligible for patenting.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Sammon, Jr. et al, US Pat No: 6,012,051.

As per claims 1, 7 and 13, Sammon teaches:

- *defining a personalized web page comprising one or more links to initial product exploration or guided search web pages, the links being based on personalization information for the user;*
- *defining the one or more initial product exploration or guided search web pages, each initial product exploration or guided search web page being determined based on personalization information for the user;*

See at least column 2, lines 3-12.

- *each initial product exploration web page comprising an entry point to a set of exploration web pages defined according to product exploration metaphor technology and the set of said exploration web pages being defined with reference to personalization information for the user (see at least column 5, lines 56-62);*
- *each initial guided search web page comprising an entry point to a set of guided search web pages defined according to guided search technology and the set of said guided search web pages being defined with reference to personalization information for the user (see at least column 5, lines 28-32); and*
- *providing the defined web pages to the user for display (see at least column 5, lines 62-63).*

As per claims 2, 8 and 14, Sammon teaches:

- *the personalization information for the user comprises a set of item attributes defined by a personalization system (see at least column1, lines 57-67 and column 2, lines 1-3).*

As per claims 3, 9 and 15, Sammon teaches:

- *each initial product exploration web page comprises a link to a result page (see at least column 6, lines 47-59).*

As per claims 4, 10 and 16, Sammon teaches:

- *the result page comprises a result list (see at least column 6, lines 58-67).*

As per claims 5, 11 and 17, Sammon teaches:

- *the result list comprises an item attribute table in which attributes of a set of items are grouped to permit comparison by a user (see at least column 14, lines 63-67 and column 15, lines 1-2).*

As per claims 6, 12 and 18, Sammon teaches:

- *the set of guided search web pages comprises web pages corresponding to a subset of potential guided search nodes in a guided search tree, the subset being defined with reference to the personalization information for the user (see at least column 6, lines 25- 41).*

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - Dedrick, US Pat No: 4,992,940, teaches method and system for dynamically customizing electronic information to individual end users.
  - Ogasawara, US Pat No: 6,386,450, teaches electronic shopping system including customer relocation recognition.
  - Aggarwal et al, US Pat No: 6,356,879, teaches content based method for product –peer filtering.
  - Linden et al, US Pat No: 6,266,649, teaches collaborative recommendations using item to item similarity mappings.
  - Chislenko et al, US Pat No: 6,092,049, teaches method and apparatus for efficiently recommending items using automated collaborative filtering and feature- guided automated collaborative filtering.
  - Jacobi et al, US Pat No: 6,064,980, teaches system and method for collaborative recommendations

- Heckeman et al, US Pat No 5,704,017, teaches collaborative filtering utilizing a belief network.
- Burge et al, US Pat No: 6,014,638, teaches system for customizing computer displays in accordance with user preference.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Affaf Ahmed whose telephone number is 571-270-1835. The examiner can normally be reached on Monday - Friday, 8:30 am-6:00 pm est, alt Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached at 571-272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AA

*Yehdega Retta*  
RETTA YEHDEGA  
PRIMARY EXAMINER